

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Certificate of Dale E. Piercy,)	
)	
Certificate 162378)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 13, 2006. On October 6, 2006, the Office of Educator Certification sent Dale E. Piercy notice of his right to a hearing regarding the possible suspension of his South Carolina educator certificate by regular and certified mail, return receipt requested, delivery restricted to addressee. Mr. Piercy received the notice as evidenced by a postal receipt bearing his signature. Mr. Piercy did not request a hearing within the time specified in the notice letter. After considering the information presented by the Department, the State Board voted to suspend Mr. Piercy's certificate for one year.

FINDINGS OF FACT

Mr. Piercy holds a professional South Carolina educator certificate and has over fifteen years of teaching experience. On June 28, 2006, Mr. Piercy signed a contract with the Lee County School District (District) for the 2006-07 school year. He was assigned to West Lee Elementary School. On August 21, 2006, Mr. Wolfe submitted a letter to his principal resigning from his position, effective immediately. The District's Director of Human Resources and Communications notified Mr. Piercy by letter of August 29, 2006, that his actions were considered to be a breach of his contract. On September 18, 2006, the District Board of Trustees voted to request the suspension of Mr. Piercy's certificate for breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is sufficient information supporting its conclusion that Mr. Piercy breached his contract with the Lee County School District, warranting the suspension of his certificate for a period of one year, through December 12, 2007. Should Mr. Piercy wish to have his certificate reinstated at the end of the suspension period, he may make a written request for reinstatement to the Office of Educator Certification.

South Carolina State Board of Education

By: /S/ Joe Isaac
Joe Isaac, Chair

Columbia, South Carolina
December 13, 2006